

# MISSISSIPPI STATE HEARING

**Mississippi College School Of Law  
Jackson, Mississippi  
May 29, 2014**

## NATIONAL COMMISSIONER

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Leon W. Russell, Vice-Chairman, NAACP Board of Directors

## GUEST COMMISSIONERS

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Derrick Johnson, President, Mississippi State  
Conference of the NAACP

Deborah McDonald, Attorney, the Law Office of  
Deborah McDonald

Reilly Morse, President, Mississippi Center for  
Justice

Carroll Rhodes, Attorney, the Law Office of Carroll  
Rhodes

## PANELISTS

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Senator David Blount, Mississippi State Senator

Scott Crawford, Ph.D., Disability Rights Advocate

Lexie Elmore, President, NAACP of McComb,  
Miss.

Lynn Evans, President, Mississippi Common  
Cause

Yasmin Gabriel, Founder, UpGrade Mississippi

Charles Irvin, Legal Director, ACLU Mississippi

Leroy Johnson, Executive Director, Southern Echo

Claude McInnis, Former Executive Vice-Chair,  
Mississippi Democratic Party

Antron McKay, President UpGrade Mississippi

Ashley McKay, Founder, Tunica Teens

Byron D. Orey, Ph.D., Professor, Jackson State  
University

Dierdre Payne, Member, League of Women Voters  
of Mississippi

J. Brad Pigott, Former U.S. Attorney, U.S.  
Department of Justice

Mike Sayer, Co-Founder, Southern Echo

Shirley Walker, Advocate, Disability Rights  
Mississippi

Marcia Weaver, President, League of Women  
Voters of the Jackson Area

## PUBLIC TESTIMONY

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Rims Barber, activist, Jackson, Mississippi

Gene Everitt, League of Women Voters of  
Mississippi

Georgia Feran, Director, Arts Classical

John Garner, activist, Jackson Mississippi

Leyser Hayes, International Connection Chairman,  
Alpha Kappa Alpha Sorority, Inc.

John Hinds, Mississippi State Representative –  
District 50

Mary McCaskill Young, Former Mayor, Kilmichael,  
Miss.; Citizens for Educational Awareness

Wayne McDaniel, Jackson NAACP

Jed Oppenheim, ACLU-Mississippi

Barbara Powell, League of Women Voters

Andrea Scott, Mississippi State Representative –  
Laurel, Miss.

Jim Spenson, Vice President, Hinds County  
Democratic Executive Committee

Cathy Sykes, Jackson NAACP

Ray Nell Vaughn, Mississippi Band of Choctaw  
Indians

## WRITTEN TESTIMONY

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Mac Epps, Mississippi Move

## SUPPORTING ORGANIZATIONS (NOT EXHAUSTIVE)

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ACLU-Mississippi	Mississippi State Conference of the NAACP
Common Cause Mississippi	Southern Echo
League of Women Voters of Mississippi	Tunica Teens
League of Women Voters of the Jackson Area	UpGrade Mississippi

## MISSISSIPPI STATE HEARING HIGHLIGHTS

The National Commission on Voting Rights hearing for the state of Mississippi took place on May 29, 2014 at the Mississippi College School of Law in Jackson, Mississippi. Presiding Commissioner Derrick Johnson; National Commissioner Leon Russell; and Guest Commissioners Carroll Rhodes, Deborah McDonald, and Reilly Morse heard testimony from both expert and public witnesses representing a wide range of organizations with concerns about the current state of voting rights in Mississippi. Witnesses testified about barriers to voting, confusion about the newly adopted voter identification (ID) law, and misinformation about acceptable forms of identification.

### I. Recent History of Voter Suppression in Mississippi

Leroy Johnson, President of Southern Echo, testified about the issues facing minority voters in the wake of the *Shelby* decision. Mr. Johnson testified that, “the subversion of the right to vote isn’t simply being waged with the Voter ID law.” Mr. Johnson said that in the city of Carthage, Mississippi, where the 2013 voting-age population was approximately 3,478,<sup>1</sup> the mayor’s election commission threatened to purge a significant number of voters from the polls, most of whom would have been African-American. According to Mr. Johnson, “the mayor’s decision would have required preclearance pre-*Shelby County*. However, in a post-*Shelby County* environment, only the intense pushback and organization of the local community and the threat of complex expensive litigation could serve as a barrier to this type of obvious discriminatory intent and effect.”

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<sup>1</sup> *State & County QuickFacts: Carthage (city), Mississippi, U.S. Census Bureau, <http://quickfacts.census.gov/qfd/states/28/2811780.html> (last visited July 31, 2014).*

## II. Access to Voter Identification

Attorney Brad Pigott explained how the voter identification law would affect African American and white voters unequally. According to Pigott, a far greater share of African Americans in Mississippi lack driver's licenses.

Lynn Evans, of Common Cause, outlined the discriminatory effect of the voter ID law when viewed within the scope of the issues faced by Mississippians in rural areas. She testified that "many elderly African-American Mississippians, as well as other native Mississippians born into poverty, were born at home and therefore have no birth certificate." Additionally, she explained, "If a person does not have a driver's license, they in all likelihood do not have a car. Travelling to a county courthouse or other location during working hours will be an unnecessary hardship that can prevent a poor person... from obtaining an official photo ID."

Yasmin Gabriel, of UpGrade Mississippi, offered testimony about the personal hardships she experienced acquiring the identification required to vote. Mississippi Secretary of State, Delbert Hosemann, set up an initiative to make it easier for Mississippians without the identification necessary to obtain the required ID by way of a "free ride."<sup>2</sup> However, According to Gabriel, the state-offered "free-ride," is anything but free. Gabriel testified that the application form for voter identification is not available on the Secretary of State's website, thus an applicant is required to spend additional time at the Circuit Clerk's office when acquiring voter ID. Additionally, Gabriel explained that in order to get a "free ride," an applicant must undergo an aggressive interview process before he or she is provided a number to set up the "free-ride." Finally, Gabriel explained that the applicant must possess a social security card to get the "free ride" to obtain the state issued identification.

Marcia Weaver of the League of Women Voters of the Jackson Area, also testified about the general confusion about acceptable forms of voter identification in Mississippi. Weaver testified that "some uninformed about voter ID might be intimidated to vote or live in areas where voter education is limited. Remedies must be found for addressing the needs of the uninformed voter. Grassroots organizations, schools, and religious groups should continue their voter education efforts. The Secretary of State's website devotes 27 pages to explain acceptable voter ID. Some poll workers do not understand the photo ID rules as listed in the Mississippi Election Code and the current 2014 Mississippi Poll Workers Manual. The Secretary of State's website lists 10 acceptable photo IDs, including the Mississippi Voter ID Card. I hold a higher education degree and it's confusing to me."

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<sup>2</sup> Dennis Turner, *Mississippi Secretary Of State Offers Free Rides To Obtain Voter ID*, *WREG Memphis* (Mar. 11, 2014, 4:49 PM), [wreg.com/2014/03/11/free-rides-for-mississippi-voter-id/](http://wreg.com/2014/03/11/free-rides-for-mississippi-voter-id/); see also *VOTER ID > How do I get a MS Voter ID card*, *Miss. Sec'y of State*, [msvoterid.ms.gov/pages/VoterIDHowtoGetID.htm](http://msvoterid.ms.gov/pages/VoterIDHowtoGetID.htm) (last visited July 31, 2014).

### III. Redistricting

Dierdre Payne of the League of Women Voters of Mississippi called for redistricting to be “transparent and open for public participation through the whole process.” However, as the redistricting plans unfolded, Payne testified, “there was not to be the transparency that had been called for. Changes in the House districts... seemed motivated by partisan and racial gerrymandering.”

### IV. Access for the Disabled

Scott Crawford, Ph.D., a disability rights advocate from Jackson, Mississippi, testified about accessibility issues facing disabled voters when trying to access polling places. Crawford testified, “among the problems encountered were: precincts that were totally inaccessible to people with disabilities; makeshift ramps that were unstable or unsafe; precincts too small to accommodate wheelchairs; no privacy for people using wheelchairs; no signage for ‘accessible’ entrances, or entrances that were locked; parking designated as ‘accessible’ but was not, either because it was not on an accessible route, too small, gravel, or unlevel; or an insufficient number of accessible parking spaces. In some instances, polls were relegated to a small storage building on private property.”